



Attorney Docket No. 58800.930CIP

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re the Application of	)	
SAITO, Makoto	)	Examiner:
Serial No.: 08/846,661	)	
(CIP of 08/549,271 filed 10/27/95 &	)	Group Art Unit: 2202
08/733,504 filed 10/18/96)	)	
Filing Date: May 1, 1997 (Disputed)	)	
For: DATA MANAGEMENT	)	
SYSTEM	)	

DECLARATION OF LILLIAN E. RODRIGUEZ IN SUPPORT OF PETITION  
TO CORRECT FILING DATE AS THE DATE OF DEPOSIT  
AS "EXPRESS MAIL" PURSUANT TO 37 C.F.R. §1.181 SUBMITTED IN  
ACCORDANCE WITH THE PROVISIONS OF 37 C.F.R. §1.10(c), §1.53(b)

I, Lillian E. Rodriguez, hereby declare:

1. I am employed as a secretary with the law firm of Hecker & Harriman located at 2029 Century Park East, Suite 1600, Los Angeles, California 90067.
2. On April 29, 1997, under the direction of J. D. Harriman II, I prepared an Express Mail label, bearing the number EM100740755US, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. I affixed the Express Mail label EM100740755US to an Express Mail envelope and included Hecker & Harriman's Express Mail corporate account number to ensure the proper

1 PETITION TO ACCORD FILING DATE  
DECLARATION OF LILLIAN RODRIGUEZ  
VIA EXPRESS MAIL LABEL NO. EM450816336US

amount of postage for its timely delivery. A true and correct copy of the Express mail label is attached as Exhibit 2.

3. On April 29, 1997, under the direction of J. D. Harriman II, I also affixed certificates of mailing by Express Mail on the transmittal letter and on the title page, abstract and last page of drawings of the application papers. This certificate stated:

"I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (Label No. EM100740755US) in an envelope addressed to "Commissioner of Patents and Trademarks, Washington, D.C. 20231, on April 29, 1997 (Date of Deposit)."

I signed these certificates on April 29, 1997. A true and correct copy of the transmittal letter, a return receipt postcard, and the application papers is attached as Exhibit 1.

4. On April 29, 1997 I placed and sealed the following contents in the Express Mail envelope bearing the Express mail mailing label number EM100740755US:

- (a) An original and one copy of a two page transmittal letter;
- (b) A seventy-two page patent specification entitled "Data Management System" and six (6) pages of informal drawings (hereinafter referred to as the "Application Papers"); and

- (c) A return receipt postcard identifying each of the above items.

A true and correct copy of the items placed in the Express Mail envelope is attached as Exhibit 1.

5. On April 29, 1997 I personally caused the sealed Express Mail envelope bearing the label number EM100740755US and containing the Application Papers to be deposited with the Express Mail U. S. Postal Service Depository at the Los Angeles International Airport.

6. A true and correct copy of the mailing label receipt obtained by the courier service for depositing the envelope bearing the Express Mail label number EM100740755US bearing a "Date In" of April 29, 1997 is attached as Exhibit 3.

7. A true and correct copy of the Official Filing receipt for U.S. patent application no. 08/846,661 showing an incorrect filing date of May 1, 1997 is attached as Exhibit 4.

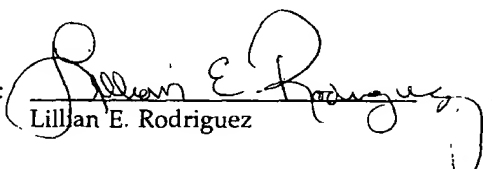
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

HECKER & HARRIMAN

Date:

12-2-97

By:

  
Lillian E. Rodriguez

2029 Century Park East, Suite 1600  
Los Angeles, CA 90067  
(310) 286-0377

CERTIFICATE OF MAILING

This is to certify that this correspondence is being deposited  
with the United States Postal Service as EXPRESS MAIL  
No. EM450816336US in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington, D.  
C., 20231 on: December 2, 1997  
Marlou I. Maglente 12/2/97  
Marlou I. Maglente Date